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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/810,489      | 03/19/2001  | Atsushi Tomita       | 032360-010          | 8259             |

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| EXAMINER |
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SALAD, ABDULLAHI ELM I

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| ART UNIT | PAPER NUMBER |
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2457

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04/01/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |  |  |
|------------------------------|--------------------------------------|--|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>09/810,489 | <b>Applicant(s)</b><br>TOMITA, ATSUSHI |  |
|                              | <b>Examiner</b><br>Salad Abdullahi   | <b>Art Unit</b><br>2457                |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 5,9,11, 13 and 15 is/are allowed.
- 6) ☒ Claim(s) 1-4,6,8,12,14 and 16-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/10/2009</u> .   | 6) <input type="checkbox"/> Other: _____                          |

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/10/2009 has been entered.
2. Applicant's argument with respect to claims 1-4, 6, 8, 12 and 14, 16-18 have been fully considered but are moot in view of new grounds of rejection.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 6, 8, 12 and 14, 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyawaki U.S. Patent No. 6,032,001[hereinafter Miyawaki] in view of Sekizawa U.S. Patent No. 6,430,711[hereinafter Sekizawa].

As per claims 1, 12 and 14, Miyawaki discloses an equipment management apparatus (200 ) for transmitting management information collected from a plurality of equipment (copier 100-1 to copier 100-5) to a centralized management apparatus (central controlling 400), comprising:

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a detector(sensor) for detecting a trouble which has occurred in a first (100-1)[ each of the image forming image forming apparatus for forming an image on a sheet apparatuses includes a trouble sensor for sensing causes of trouble which may occur during an operation of the image forming apparatus] (see fig. 1 and col. 2, lines 21-30);and

a transmission controller (200) for, when the trouble is detected by the detector, (computer 400) [see figs 1, 14-15, and col. 14, lines 15-57, where the data communication apparatus 200 transmits troubles that occur on the plurality of the image forming apparatus 100, where an urgent trouble may be transmitted with a management information such as no-urgent troubles that occur on the image forming apparatus 100).

Miyawaki is silent regarding: transmitting management information about a second image forming apparatus for forming an image on a sheet which is independent from the first image forming apparatus together with the trouble information about the first equipment to the centralized management apparatus

Sekizawa discloses centralized monitoring of the state of plurality of printer machines including the step of transmitting management information about a second image forming apparatus for forming an image on a sheet which is independent from the first image forming apparatus together with the trouble information about the first equipment to the centralized management apparatus (see figs. 24-25, 35 and col. 36, lines 50-65 and co. 44, lines 35-60). For example in fig. 35 the operator can recognize the network printer LP-170 placed in an error state while other network printers is shown showing other management information. Thus the state of each network printer P is displayed in

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customer units (LAN units) in a simple listing of the printers. Therefore, when a maintenance person needs to be dispatched to one network printer P, if another network printer P fails in the area 2 in which that printer is installed, the operator can easily recognize the fact providing rapid and efficient service can be provided.

As per claim 2, Sekizawa discloses an equipment management apparatus according to claim 1, wherein the transmission controller responds to the detection of the trouble by the detector, and obtains the management information from the second (see fig. 35 and col. 36, lines 50-65 and co. 44, lines 35-60).

As per claim 3, Sekizawa discloses an equipment management apparatus according to claim 1, wherein the transmission controller transmits management information about a plurality of equipment including the second equipment (see fig. 35 and col.44, lines 35-60.)

As per claim 4, Miyawaki discloses an equipment management apparatus according to claim 1 further comprising a selector for selecting the second equipment among the plurality of equipment based on a specified condition (see col. 14, lines 15-57).

As per claim 6, Sekizawa discloses an equipment management apparatus according to claim 4, wherein the specified condition is characteristics of each of the equipment, and the selector selects the second equipment based on the characteristics of each of the equipment (col.44, lines 35-60.)

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As per claim 8, Sekizawa discloses an equipment management apparatus according to claim 1, wherein the equipment is an image forming apparatus for forming an image on a sheet (col.44, lines 35-60.)

As per claims 16-18, Sekizawa discloses an equipment apparatus according to claim 1, wherein the equipment management apparatus is independently connected to first image to the first image forming apparatus and second image forming apparatus (see fig. 35 and col.44, lines 35-60.)

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad E Abdullahi whose telephone number is 571-272-4009. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Salad Abdullahi/  
Primary Examiner, Art Unit 2457

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